



Letter of Compliance Completion

To: Ansley Singer; Project Manager, Yosemite National Park

From: Cicely Muldoon; Acting Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2020-083 New Gate Installation at Two Yosemite Entrances (PEPC: 95023)

For complete compliance information see PEPC Project 95023.

The Superintendent and park interdisciplinary team have reviewed the proposed project and completed an impact analysis and documentation, and have determined the following:

- There will not be any effect on threatened, endangered, or rare species and/or their critical habitat.
- There will be no adverse effect to historic properties.
- There will not be serious or long-term undesirable environmental or visual effects.

The subject proposed project, therefore, is now cleared for all NEPA and NHPA compliance requirements as presented above. Project plans and specifications are approved and construction and/or project implementation can commence.

Required Mitigations - For the proposed project actions to be within compliance requirements during construction and/or project implementation, the following mitigations must be adhered to:

- To the extent practical, work shall be scheduled to avoid construction activity and construction related delays during peak visitation times.
- Because this is a rare occasion where people exiting the park may encounter a locked gate, it is recommended to use reflective material on both sides of the gate to make them visible at night to motorists.

There are no NHPA Recommendations for Conditions or Stipulations identified.

The signed original of this document is on file at the
Environmental Planning and Compliance Office in Yosemite

Superintendent: National Park **Date:** 6/16/2020

Cicely Muldoon

A PDF text file of the project's approved environmental compliance package containing the letter of compliance completion, categorical exclusion form, environmental screening form, and any other associated environmental clearance forms, as applicable (e.g., Wilderness Minimum Requirement Analysis, Wild and Scenic River Section 7 Analysis). The signed originals of the package are on file in the Environmental Planning and Compliance Office at Yosemite National Park.



Categorical Exclusion Documentation Form (CE Form)

Project: 2020-083 New Gate Installation at Two Yosemite Entrances

PEPC Project Number: 95023

Description of Action (Project Description):

JUSTIFICATION:

Permanent Gate at South Boundary

There is a current and certain future need for a permanent gate at the park's south boundary on Highway 41. There have historically been several situations, each lasting for several weeks, where a hard closure of the park was ordered by park management. Currently, no gate exists at this location, only at the South Entrance roundabout, which is ineffective as a closure point and does not secure park infrastructure.

When the South Entrance roundabout was built, a gate was installed to be able to prohibit traffic going into the park, however, there wasn't a gate installed to prohibit outbound traffic. During a closure, vehicles can easily enter the park using the opposing traffic lane. Furthermore, the single gate in its current location does not completely protect or secure all areas of the park when unmanned, still allowing access by unauthorized persons to the entrance booths, the Fees Office, and all of the Mariposa Grove infrastructure, putting them at risk for theft and vandalism. Gate configuration is ineffective and does not secure the park or its assets. Additionally, without the gate a closure would require 24/7 staffing which the VRP Branch does not have the resources for. The proposed south boundary location is inside the park boundaries and jurisdiction, yet does not allow for access to the above listed infrastructure. It is a section of road that is two lanes wide, with forest embankments on either side and sufficient room for vehicles to turn around. Such a gate would fulfill current and future needs to effectively implement a hard closure when needed.

Permanent Gate at Big Oak Flat

There is a current and certain future need for a permanent gate at the park's north boundary on Highway 120. There have historically been several situations, each lasting for several weeks, where a hard closure of the park was ordered by park management. Currently, no gate exists at this location, only interior of the Big Oak Flat Entrance Station complex and intersection of Hodgdon Meadow Road, which is ineffective as a closure point and does not secure park infrastructure.

With the existing gate that is interior of the Big Oak Flat Entrance complex and Hodgdon Meadow road critical NPS infrastructure is left exposed. During a closure, vehicles can easily enter the park. The gate in its current location does not completely protect or secure all areas of the park when unmanned, still allowing access by unauthorized persons to the entrance booths, the Fees Office, the Campground Office, the Mather District Law Enforcement Office, Hodgdon Meadow Campground, the government housing at Hodgdon Meadow, the Hodgdon Wastewater Plant, the Hodgdon well house, the Mather maintenance office, and the Mather Roads office and equipment yard, including the area where Ambulance 6 is stored. This gate configuration is putting the listed infrastructure at risk for theft and vandalism. In that way the gate configuration is ineffective and does not

secure the park or its assets. Additionally, without the proposed gate a closure would require 24/7 staffing which the VRP Branch does not have the resources for. The proposed 120 gate location is inside the park boundaries and jurisdiction. It is a section of road that is two lanes wide, with forest embankments on either side and sufficient room for vehicles to turn around. Such a gate would fulfill current and future needs to effectively implement a hard closure when needed.

SCOPE: The gate at the Big Oak Flat entrance will be installed approximately 0.1 miles north of the existing entrance station kiosks on Highway 120. The gate will require ground disturbance for two posts on each side of the road requiring ground disturbance measuring 2-feet in diameter and 4-feet deep for the concrete encasements for the posts (four posts total). The steel gate will be composed of 4-inch round pole tubing; both sides of the gate will measure 12 - 14 feet wide by 4-feet tall (the two sides of the gate will meet in the middle for a total span of 24 - 28 feet across the roadway). Snow stake extensions will be attached to the posts measuring an additional three feet above the gate (7-feet total height). The gate will be painted Wosky Brown.

The South Entrance gate will be located approximately 0.6 miles south of the existing entrance station on Highway 41 just inside the southern park boundary. Gate installation will involve the same scope of work as described above for the Big Oak Flat area.

No tree or vegetation removal is necessary at either location. Boulders may be installed on side(s) to prevent vehicle circumvention. To secure the boulders in place, ground disturbance to a maximum of one foot below surface may be required. Existing gates will be left in place for seasonal and/or operational closures that do not require unstaffed restricted access in both directions.

Project Locations:

Tuolumne County, CA; Mather District

Mariposa County, CA; Wawona District

Mitigation(s):

- To the extent practical, work shall be scheduled to avoid construction activity and construction related delays during peak visitation times. No holiday or night time work shall be allowed. Weekend work (Friday through Sunday) shall not be allowed unless authorized in writing by the park's Superintendent.
- Because this is a rare occasion where people exiting the park may encounter a locked gate, it is recommended to use reflective material on both sides of the gate to make them visible at night to motorists.

CE Citation: C.17 Construction of fencing enclosures or boundary fencing posing no effect on wildlife migrations.

CE Justification:

This CE may also be used for security fencing around park buildings or facilities.

Decision: I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

Superintendent:

The signed original of this document is on file at the
Environmental Planning and Compliance Office in Yosemite
National Park

Date: 6/16/2020

Cicely Muldoon

Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Notes
A. Have significant impacts on public health or safety?	No	
B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?	No	
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	
G. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office?	No	
H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?	No	
I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	
J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	
K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007)?	No	
L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?	No	



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: **2020-083 New Gate Installation at Two Yosemite Entrances**
 PEPC Project Number: 95023
 Project Type: Capital Improvement/New Construction (CI)
 Project Location:
 County, State: Tuolumne, California **District, Section:** Mather District
 County, State: Mariposa, California **District, Section:** Wawona District
 Project Leader: Ansley Singer

B. PROJECT DESCRIPTION

See Categorical Exclusion form.

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality	None	
Biological Nonnative or Exotic Species <i>Invasive Species</i>	Potential	Issue: If work is to be done in-house by park equipment, no vehicle inspections will be necessary to prevent the spread of invasive plant species.
Biological Species of Special Concern or Their Habitat	Potential	There are fishers in both project areas, but due to the timing, duration, and scope of the project, it will have No Effect on fishers and consultation is not required. There may be Yosemite toads near the Big Oak Flat entrance, but again, due to the timing, duration, and scope of the project -- as well as the footprint, it will have No Effect on the toads and consultation is not required. There are great gray owls foraging in the area, but due to the timing, duration, and scope of the project, there will be no impact on the owls.
Biological Vegetation	None	
Biological Wildlife and/or Wildlife Habitat	None	

Resource	Potential for Impact	Potential Issues & Impacts
including terrestrial and aquatic species		
Cultural Archeological Resources <i>Documented archeological resources</i>	Potential	Issue: Both proposed gate locations have been archeologically surveyed using modern techniques and no archeological sites are within or adjacent to proposed ground disturbance.
Cultural Cultural Landscapes	None	
Cultural Ethnographic Resources	None	
Cultural Museum Collections	None	
Cultural Prehistoric/historic structures	Potential	Issue: Construction at both locations will not require changes to the road, turnouts, or parking areas. The gates are removable, non-historic minor construction. No historic structures or buildings, no Historical Architect review required.
Geological Geologic Features	None	
Geological Geologic Processes	None	
Lightsapes Lightsapes	None	
Other Human Health and Safety <i>Visibility of the gates at night</i>	Potential	Issue: Because this is a rare occasion where people exiting the park may encounter a locked gate, it is recommended to use reflective material on both sides of the gate to make them visible at night to motorists.
Other Operational <i>Operational issues regarding closure</i>	Potential	Issue: The gates themselves do not pose a new operational issue regarding the periodic temporary hard closures of the park. These operational issues are dealt with through other means and will not be affected by the gates being installed.
Other Other	None	
Socioeconomic Land Use	None	

Resource	Potential for Impact	Potential Issues & Impacts
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	
Socioeconomic Socioeconomic	None	
Soundscapes Soundscapes	None	
Viewsheds Viewsheds	None	
Visitor Use and Experience Recreation Resources	None	
Visitor Use and Experience Visitor Use and Experience	None	
Water Floodplains	None	
Water Marine or Estuarine Resources	None	
Water Water Quality or Quantity	None	
Water Wetlands	None	
Water Wild and Scenic River	None	
Wilderness Wilderness	None	



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

2. Project Description:

Project Name: New Gate Installation at Two Yosemite Entrances

Prepared by: Erin Davenport **Date Prepared:** 04/14/2020 **Telephone:** 209-379-1067

PEPC Project Number: 95023

Describe project: See Categorical Exclusion form.

Area of potential effects (as defined in 36 CFR 800.16[d])

South Entrance: The area of potential effects is bounded to the north by the bend in the road from which the gate location becomes visible (approximately 550 feet north), to the east and west by the forested edge alongside the road, and from the south by the bend in the road where it intersects with the Mount Raymond Road (approximately 250 feet south).

Big Oak Flat: The area of potential effects is bounded to the south by the Big Oak Flat entrance stations (approximately 0.1 miles south), to the east by the forested edge alongside the road, to the west by the parking area adjacent to the park sign, and to the north by the bend in the road from which the gate location becomes visible (approximately 0.2 miles north).

The vertical depth of the posts is 4 feet deep. The gate is 4 feet high with snow stakes. Boulders will be placed on the sides of the gate involving up to a foot deep of ground disturbance (if necessary).

3. Has the area of potential effects been surveyed to identify historic properties?

No

Yes

Source or reference:

4. Potentially Affected Resource(s):

Archeological Resources Present: No

Historical Structures/Resources Present: No

Cultural Landscapes Present: No

Cultural Landscapes Notes: Wawona Road at South entrance has not been evaluated. Work will be in the

previously disturbed road prism, the gate is removable, and the fabric of the road itself is likely not to be contributing to any potential historic property.

Ethnographic Resources Present: No

Ethnographic Resources Notes: The park will inform the tribes as a courtesy notification but does not anticipate any concerns based on previous work in the area with no concerns or comments or any identified properties of traditional religious and cultural significance, the lack of archeological and ethnographic resources in these locations, and the nature of the undertaking occurring in an elevated road prism.

5. The proposed action will: (check as many as apply)

No	Destroy, remove, or alter features/elements from a historic structure
No	Replace historic features/elements in kind
No	Add non-historic features/elements to a historic structure
No	Alter or remove features/elements of a historic setting or environment (inc. terrain)
No	Add non-historic features/elements (inc. visual, audible, or atmospheric) to a historic setting or cultural landscape
No	Disturb, destroy, or make archeological resources inaccessible
No	Disturb, destroy, or make ethnographic resources inaccessible
No	Potentially affect presently unidentified cultural resources
No	Begin or contribute to deterioration of historic features, terrain, setting, landscape elements, or archeological or ethnographic resources
No	Involve a real property transaction (exchange, sale, or lease of land or structures)
	Other (please specify):

6. Supporting Study Data:

(Attach if feasible; if action is in a plan, EA or EIS, give name and project or page number.)

B. REVIEWS BY CULTURAL RESOURCE SPECIALISTS

The park 106 coordinator requested review by the park's cultural resource specialist/advisors as indicated by check-off boxes or as follows:

[X] **106 Advisor**

Name: Madelyn Ruffner

Date: 04/21/2020

Check if project does not involve ground disturbance []

Assessment of Effect: ___No Potential to Cause Effect ___No Historic Properties Affected X No Adverse Effect ___Adverse Effect ___Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Standard 4-Step Process

[X] **Anthropologist**

Name: Liz Williams

Date: 04/14/2020

Check if project does not involve ground disturbance []

Assessment of Effect: No Potential to Cause Effect No Historic Properties Affected No Adverse Effect Adverse Effect Streamlined Review

Recommendations for conditions or stipulations: The park will send tribes an information-only courtesy notification of the work.

Doc Method: Standard 4-Step Process

[] **Archeologist**

Name: Wesley Wills

Date: 04/14/2020

Comments: Both proposed gate locations have been archeologically surveyed using modern techniques and no archeological sites are within or adjacent to proposed ground disturbance.

Check if project does not involve ground disturbance []

Assessment of Effect: No Potential to Cause Effect No Historic Properties Affected No Adverse Effect Adverse Effect Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Standard 4-Step Process

[] **Historian**

Name: Scott Carpenter

Date: 04/14/2020

Comments: No historic structures or buildings, no Historical Architect review required.

Check if project does not involve ground disturbance []

Assessment of Effect: No Potential to Cause Effect No Historic Properties Affected No Adverse Effect Adverse Effect Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Standard 4-Step Process

[] **Historical Landscape Architect**

Name: Vida Germano

Date: 04/21/2020

Check if project does not involve ground disturbance []

Assessment of Effect: No Potential to Cause Effect No Historic Properties Affected No Adverse Effect Adverse Effect Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Standard 4-Step Process

No Reviews From: Curator, Historical Architect, Other Advisor

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

	No Potential to Cause Effects
	No Historic Properties Affected
X	No Adverse Effect
	Adverse Effect

2. Documentation Method:

A. Standard 36 CFR Part 800 Consultation

Further consultation under 36 CFR Part 800 is needed.

B. Streamlined Review Under the 2008 Servicewide Programmatic Agreement (PA)

The above action meets all conditions for a streamlined review under section III of the 2008 Servicewide PA for Section 106 compliance.

Applicable Streamlined Review Criteria

(Specify 1-16 of the list of streamlined review criteria.)

C. Undertaking Related to Park Specific or Another Agreement

The proposed undertaking is covered for Section 106 purposes under another document such as a park, region or statewide agreement established in accord with 36 CFR 800.7 or 36 CFR 800.14.

D. Combined NEPA/NHPA Process

Process and documentation required for the preparation of an EA/FONSI or an EIS/ROD to comply with Section 106 is in accord with 36 CFR 800.8.c.

E. Memo to Project File

3. Consultation Information

SHPO Required: Yes

SHPO Sent: May 5, 2020

SHPO Received: June 15, 2020

THPO Required: No

THPO Sent: May 8, 2020

THPO Received:

SHPO/THPO Notes:

Advisory Council Participating: No

Advisory Council Notes:

Additional Consulting Parties: No

4. Stipulations and Conditions: Following are listed any stipulations or conditions necessary to ensure that the assessment of effect above is consistent with 36 CFR Part 800 criteria of effect or to avoid or reduce potential adverse effects.

5. Mitigations/Treatment Measures: Measures to prevent or minimize loss or impairment of historic/prehistoric properties: (Remember that setting, location, and use may be relevant.)

Required Mitigations - For the proposed project actions to be within compliance requirements during construction and/or project implementation, the following mitigations must be adhered to: None.

6. Assessment of Effect Notes:

Archeology: Both locations have been archeologically surveyed with modern techniques and no archeological sites have been identified within or adjacent to the area of proposed ground disturbance. Construction for both locations is limited to ground disturbance in previously disturbed areas within the road prism.
Properties with Religious and Cultural Significance: There are no known historic properties of traditional religious or cultural significance in the project vicinity and therefore there are no known effects to such properties. The park will send traditionally associated American Indian tribes and groups an information-only courtesy notification of the work prior to construction.
Build Environment: Construction at both locations will not require changes to the road, turnouts, or parking areas. The gates are removable, non-historic minor construction.

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

NHPA Specialist
Madelyn Ruffner Madelyn Ruffner Date: 6/16/2020

E. SUPERINTENDENT'S APPROVAL

The proposed work conforms to the NPS *Management Policies* and *Cultural Resource Management Guideline*, and I have reviewed and approve the recommendations, stipulations, or conditions noted in Section C of this form.

Superintendent: The signed original of this document is on file at the
Environmental Planning and Compliance Office in Yosemite
National Park Date: 6/16/2020
Cicely Muldoon